

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>JNR-PB60091</b>	<b>FOR FURTHER ACTION</b>	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. <b>PCT/EP2004/004007</b>	International filing date (day/month/year) <b>14/04/2004</b>	(Earliest) Priority Date (day/month/year) <b>17/04/2003</b>
Applicant <b>GLAXO GROUP LIMITED</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 7 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b.  With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2.  Certain claims were found unsearchable (See Box II).

3.  Unity of invention is lacking (see Box III).

4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:  
**CHAIN LINKED CAPSULES**

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regards to the drawings,

a. the figure of the drawings to be published with the abstract is Figure No. 4

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

b.  none of the figures is to be published with the abstract.

## INTERNATIONAL SEARCH REPORT

International Application No PCT/EP2004/004007
---

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 A61M15/00
--

According to International Patent Classification (IPC) or to both national classification and IPC
---

B. FIELDS SEARCHED
--------------------

Minimum documentation searched (classification system followed by classification symbols) IPC 7 A61M
---

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
---

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)
--

EPO-Internal
--------------

C. DOCUMENTS CONSIDERED TO BE RELEVANT
--

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 562 918 A (STIMPSON PHILIP G) 8 October 1996 (1996-10-08) column 7, line 8 -column 13, line 66; figures 1-4,20,26 ---	1-9,20, 22,27-29
X	US 5 778 873 A (BRAITHWAITE PHILIP W) 14 July 1998 (1998-07-14) column 18, line 19 - line 64; figure 16 ---	1-4,6,8, 9,29
X	WO 01/30430 A (INNOVATA BIOMED LTD ;BRAITHWAITE PHILIP (GB); WILLIAMS STEVEN GRAH) 3 May 2001 (2001-05-03) page 7, line 15-24 page 10, line 1-7; figures 1,12A ---	1-4,6,8, 9,29
X	US 4 095 587 A (ISHIKAWA MUTSUO) 20 June 1978 (1978-06-20) the whole document ---	1-6,18, 21 -/-

<input checked="" type="checkbox"/> Further documents are listed in the continuation of box C.
--

<input checked="" type="checkbox"/> Patent family members are listed in annex.
--

* Special categories of cited documents :
---

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search
---

14 July 2004
--------------

Date of mailing of the international search report
--

20/07/2004
------------

Name and mailing address of the ISA
-------------------------------------

European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl. Fax: (+31-70) 340-3016
---

Authorized officer
--------------------

Vänttinen, H
--------------

## INTERNATIONAL SEARCH REPORT

International Application No PCT/EP2004/004007
---

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GB 959 383 A (ESCHER WYSS AG) 3 June 1964 (1964-06-03) page 2, line 47 - line 98; figures 2,4 ---	1, 3, 5, 6, 8
X	US 4 815 625 A (FILHOL STUART J ET AL) 28 March 1989 (1989-03-28) the whole document ---	1-4, 6-8
A	US 1 410 556 A (DORMENT FRANK C) 28 March 1922 (1922-03-28) the whole document ---	8-17, 24-26
E	WO 2004/045688 A (RAND PAUL KENNETH ;GLAXO GROUP LTD (GB)) 3 June 2004 (2004-06-03) the whole document -----	8-17, 24-26

**FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210**

**Continuation of Box II.2**

Claims Nos.: 30

It is unclear what technical features of the device are defined by referring to the figures (Article 84 EPC and Guidelines C-III, 4.10)

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/EP2004/004007

### Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:
  
2.  Claims Nos.: 30 because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
  
3.  Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

### Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1.  As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
  
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
  
3.  As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
  
4.  No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

#### Remark on Protest

The additional search fees were accompanied by the applicant's protest.  
 No protest accompanied the payment of additional search fees.

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

International Application No

PCT/EP2004/004007

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
US 5562918	A 08-10-1996	GB 2270293 A DE 69318027 D1 DE 69318027 T2 EP 0659094 A1 WO 9405358 A2 JP 8500750 T		09-03-1994 20-05-1998 13-08-1998 28-06-1995 17-03-1994 30-01-1996
US 5778873	A 14-07-1998	AT 191649 T AU 3508793 A BR 9305942 A CA 2130477 A1 CN 1082191 A , B CN 1234280 A DE 69328358 D1 DE 69328358 T2 DK 626869 T3 EP 0626869 A1 EP 0928618 A1 ES 2145770 T3 FI 943813 A FI 20020690 A WO 9316748 A2 GB 2278596 A , B GB 2292557 A , B GR 3033790 T3 IN 181091 A1 IN 182859 A1 JP 7506981 T KR 264805 B1 MX 9300908 A1 NO 943065 A NZ 249192 A NZ 299262 A PT 626869 T US 5924417 A ZA 9301171 A		15-04-2000 13-09-1993 21-10-1997 02-09-1993 16-02-1994 10-11-1999 18-05-2000 07-12-2000 11-09-2000 07-12-1994 14-07-1999 16-07-2000 19-08-1994 10-04-2002 02-09-1993 07-12-1994 28-02-1996 31-10-2000 18-04-1998 31-07-1999 03-08-1995 01-09-2000 01-11-1993 12-10-1994 29-01-1997 29-01-1997 31-10-2000 20-07-1999 14-02-1994
WO 0130430	A 03-05-2001	AU 1037101 A BR 0014933 A CA 2386912 A1 EP 1237604 A1 WO 0130430 A1 JP 2003512138 T NO 20021858 A PL 354621 A1 ZA 200202777 A		08-05-2001 18-06-2002 03-05-2001 11-09-2002 03-05-2001 02-04-2003 05-06-2002 09-02-2004 09-07-2003
US 4095587	A 20-06-1978	JP 52088291 U AU 501333 B2 AU 2081376 A CA 1070770 A1 CH 641051 A5 DE 2629432 A1 FR 2336146 A1 GB 1503109 A SE 418150 B		01-07-1977 14-06-1979 29-06-1978 29-01-1980 15-02-1984 30-06-1977 22-07-1977 08-03-1978 11-05-1981
GB 959383	A 03-06-1964	CH 371528 A		31-08-1963

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

International Application No

PCT/EP2004/004007

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
GB 959383	A	DE	1174916 B	30-07-1964
		FR	1270728 A	01-09-1961
US 4815625	A	28-03-1989	EP 0207709 A2	07-01-1987
			JP 62064733 A	23-03-1987
US 1410556	A	28-03-1922	NONE	
WO 2004045688	A	03-06-2004	WO 2004045688 A1	03-06-2004